

Article - Health - General

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§5–906.

(a) Subject to subsection (b) of this section, all information and records acquired by a local team in the exercise of its purpose and duties under this subtitle are confidential, exempt from disclosure under Title 4 of the General Provisions Article, and may be disclosed only as necessary to carry out the team's purpose and duties.

(b) (1) Mental health records are subject to the additional limitations under § 4–307 of this article for disclosure of a medical record developed primarily in connection with the provision of mental health services.

(2) Substance abuse treatment records are subject to any additional limitations for disclosure or redisclosure of a medical record developed in connection with the provision of substance abuse treatment services under State law or 42 U.S.C. § 290DD–2 and 42 C.F.R. Part 2.

(c) Statistical compilations of data that do not contain any information that would permit the identification of any person to be ascertained are public records.

(d) Reports of a local team that do not contain any information that would permit the identification of any person to be ascertained are public information.

(e) Except as necessary to carry out a local team's purpose and duties, members of a local team and persons attending a local team meeting may not disclose:

(1) What transpired at a meeting that is not public under § 5–905 of this subtitle; or

(2) Any information the disclosure of which is prohibited by this section.

(f) (1) Members of a local team, persons attending a local team meeting, and persons who present information to a local team may not be questioned in any civil or criminal proceeding about information presented in or opinions formed as a result of a meeting.

(2) This subsection does not prohibit a person from testifying to information that is obtained independently of a local team or that is public information.

(g) (1) Except as provided in paragraph (2) of this subsection, information, documents, or records of a local team are not subject to subpoena, discovery, or introduction into evidence in any civil or criminal proceeding.

(2) Information, documents, or records otherwise available from other sources are not immune from subpoena, discovery, or introduction into evidence through those sources solely because they were presented during proceedings of a local team or are maintained by a local team.

(h) A person who violates this section is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$500 or imprisonment not exceeding 90 days or both.

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